

HONORABLE JAMES L. ROBERT

U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MONTY J. BOOTH, ATTORNEY AT LAW,
P.S., a Washington corporation, individually and
on behalf of a class of Washington businesses
similarly situated,

Plaintiff,

vs.

APPSTACK, INC., a Delaware corporation;
STEVE ESPINOSA, individually; and JOHN
ZDANOWSKI, individually,

Defendants.

NO. 2:13-cv-01533-JLR

**DECLARATION OF JEFFREY A.
HANSEN IN SUPPORT OF
PLAINTIFF'S REPLY IN SUPPORT
OF CLASS CERTIFICATION**

1. My name is Jeffrey A. Hansen. I am an adult over the age of 18, a resident of the state of California, and I reside at 2625 Kings View Circle, Spring Valley, CA 91977. I submit this declaration in support of Plaintiffs' Reply in Support of Class Certification. Unless indicated otherwise, I have personal knowledge of each of the matters stated herein, and if called to testify I could and would testify competently about them.

2. It is possible to identify the location at which a cellular phone call was received through cell tower location data that is retained by the cellular telephone carriers.

1 3. Cell towers are used to route cellular phone calls so that they reach the call
2 recipient wherever they are located. Carriers maintain information that identifies the cell tower
3 to which the call was routed – the tower nearest to the recipient at the time of the call. Cellular
4 telephone carriers have this data for, among other reasons, determining whether roaming
5 charges apply.

6 4. It is also possible to identify whether a call to a landline or cellular telephone
7 was forwarded and to what number the call was forwarded. Forwarding technology requires
8 that a landline or cellular phone holder tell the carrier to which number they desire a call to be
9 forwarded. That information is retained by the carriers for billing purposes.

10 5. One may also determine the location of the forwarded call through records
11 retained by the carriers. If the call was forwarded to a landline, the carrier will be able to
12 identify the phone switch at which the call terminated – at most these are located only a block
13 or two from the landline. If a call is forwarded to a cellular phone, then the carrier will have
14 cell tower data that identifies the cell tower to which the call was routed for receipt.

15 6. As to VOIP phones, it is not possible to determine routing. However, VOIP
16 carriers will have billing records for their customers. Those billing records will show the
17 billing address for the service and whether the service was billed to an address in Washington
18 State.

19 7. The carriers associated with each telephone number called by AppStack can be
20 identified through records maintained by the North American Numbering Plan, which is the
21 organization that assigns telephone numbers to the carriers.

22 I declare under penalty of perjury of the laws of the United States and the State of
23 Washington that the foregoing is true and correct. Dated this 19th day of December, 2014.

24
25 

26 Jeffrey A. Hansen
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CERTIFICATE OF SERVICE

I, Beth E. Terrell, hereby certify that on December 19, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Attorneys for Defendants

DATED this 19th day of December, 2014.

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